

JW/Rce/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplicant:  Tomoharu TANAKA et al.Title: NON-VOLATILE SEMICONDUCTOR MEMORY
DEVICE AND MEMORY SYSTEM USING THE
SAME

Appl. No.: 10/804,094

Appl. Filing Date: 03/19/2004

Examiner: Vu Anh Le

Art Unit: 2824

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. **Submission required under 37 C.F.R. §1.114:** (check items that apply)

a. Previously submitted:

Please enter and consider the amendment/reply previously filed on ____.

Please consider the Affidavit(s)/Declaration(s) previously filed on ____ but not considered.

Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.

Other ____.

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b. Enclosed are:

- Amendment/Reply.
- Affidavit(s)/Declaration(s).
- Information Disclosure Statement.
- Form PTO-1449 with copies of ___ listed reference(s).
- Other .

Miscellaneous:

- Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ___ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	102	- 102	= 0	x \$50.00	= \$0.00
Independents	8	- 8	= 0	x \$200.00	= \$0.00
				First presentation of any Multiple Dependent Claims: + \$360.00	= \$0.00
				CLAIMS FEE TOTAL: =	\$790.00

- Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$120.00	0	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$450.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,590.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,160.00		\$0.00
	EXTENSION FEE SUBTOTAL:			\$0.00
	EXTENSION FEE ALREADY PAID:		-	\$0.00
	EXTENSION FEE TOTAL			\$0.00
	CLAIMS AND EXTENSION FEE TOTAL:			\$790.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
	TOTAL FEE:			\$790.00

Please charge Deposit Account No. 19-0741 in the amount of \$790.00. A duplicate copy of this transmittal is enclosed.

A check in the amount of \$790.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By 

Date May 18, 2005

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 945-6162
Facsimile: (202) 672-5399

Pavan K. Agarwal
Attorney for Applicant
Registration No. 40,888



Atty. Dkt. No. 016887-1102

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AMENDMENT ACCOMPANYING
REQUEST FOR CONTINUED EXAMINATION

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment accompanies the Request for Continued Examination filed concurrently herewith in lieu of payment of the Issue Fee. Please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks/Arguments begin on page 22 of this document.

Please amend the application as follows: